

THE ASSOCIATED PRESS.

CRITICISM AND REPLY.

[From *Collier's*, June 6, 1914.]

In Justice to the "A. P."

The officers and members of the Associated Press have been kept busy lately repelling attacks upon that organization. In so far as they are defending themselves from the charge of willful distortion of the news, we sympathize with them. Six or seven years ago we printed a series of articles which dealt with the general subject of "tainted news," and from time to time since then we have pointed out examples of this insidious practice. During this time not less than a score of persons have come to us with alleged examples of tampering with the news on the part of the Associated Press. All of these cases we looked into with care and pains, and many of the same cases were investigated by other publications and persons. We have never found a case that justified us in publishing the details or in making any charge of willful distortion against the Associated Press. A very different point is this: The Associated Press gets much of its news from official sources, and the news, as given out by headquarters, is apt to be colored the way officials like it to look. It is entirely natural for the Associated Press representative at St. Petersburg, for example, to keep in close touch with Russian officials, for they are the source of nine-tenths of the news which he must send out. In less degree, the same is true of Washington. The information sent over the Associated Press wires is likely to have a slight official bias. But that the Associated Press changes it or colors it in the process we do not believe. That the agitators, who are the most conspicuous assailants of the Associated Press, should confuse these two very different things is characteristic of their wobbly cerebration.

Is There a News Monopoly?

The Associated Press is also defending itself against the charge of being a monopoly. Mr. Will Irwin, for example, says that the Associated Press ought to be required to give its services, under proper restrictions and conditions, to any newspaper which asks for it. To this the president

of the Associated Press, Mr. Frank B. Noyes of Washington, D. C., replies that

a competitor has as much right to demand and receive the same news service as he would to demand and receive the use of the other paper's press, composing room, editors, and reporters. Just as much right and no more. And that is absolutely no right.

This is the way railroad presidents used to talk a few years ago. On this point Mr. Irwin is clearly in tune with the times, and it is only a matter of time when the Associated Press will have to conform to the current beliefs about monopoly. Where a city has only one morning paper and where that morning paper, possessing the Associated Press franchise, is able to keep the franchise exclusively and prevent any other paper from getting it, there arise all the mischiefs which attend monopoly. Indeed, we think the subjection of the agencies for distributing news to the public may go even farther. A single newspaper in a city, or two or three newspapers, can inflict injustices and discriminations quite as intolerable as the worst practices of street car or public lighting monopolies. We think the time will come when newspapers will be recognized as having the qualities of a public utility, and will be subject to inquiry and regulation by commissions similar to those which have arisen in many States during the past few years to supervise railroad, telephone, and lighting corporations.

REPLY.

[*Collier's*, July 11, 1914.]

Editor, *Collier's*:

I have read with interest the editorial upon THE ASSOCIATED PRESS which appeared in your issue of June 6th. While I recognize an evident purpose to be just, it seems clear to me that your suggestion that "the information sent over The Associated Press wires is likely to have a slight official bias," lacks force. The dispatches of the Association are very widely published. If there is the sort of bias you intimate, it should be easy to furnish some illustration. Such evidence would certainly be more convincing. In truth there is no basis for the idea, as can be demonstrated, I am confident, in any specific case that may be presented.

In respect of your other contention, "that The Associated Press ought to be required to give its service, under proper restrictions and conditions, to any newspaper which asks for it," there are several things to say. First, your attempt to find analogy between this business and that of a railroad must fail utterly. The railroad is, in the very nature of the case, a common carrier. Not only does it fall under the proper legal rule which applied to the coach, the cab and the ferry, long before the railroad existed, but it enjoys certain peculiar privileges, such as the right of eminent domain, etc., which gives the public a distinct claim upon it. On the other hand, The Associated Press enjoys no exceptional right of any sort. It is simply a voluntary union of a number of gentlemen for the employment of a certain staff of news reporters to serve them jointly. For its work it derives no advantage from the government, from any state or municipality, from any corporation, or from any person. Its service is a purely personal one, and never, except under the long-since abolished slave laws, has any government sought to compel personal service, save in cases of voluntarily assumed contracts, or of adjudgements for crime. The output of The Associated Press is not the news; it is its own story of the news. There can be no monopoly in news. At the point of origin, Havana, the destruction of the Maine was known by every man, woman and child. Any one could have written a story of it. The Associated Press men did. It was their own story. Who shall say that **they**, or those who employed them, were not entitled to its exclusive use? And is this not equally true, whether the employer be one man, or ten men, or nine hundred men acting in co-operation?

You say, "Where a city has only one morning paper and where that morning paper, possessing The Associated Press franchise, is able to keep the franchise exclusively and prevent any other paper from getting it, there arise all the mischiefs which attend monopoly." To this let me say that there is no such case, nor has there been in the life of The Associated Press, of which you speak. If there were, Mr. Noyes's remark that "a competitor has as much right to demand and receive the same news service as he would to demand and receive the use of the other's press, composing room, editors and reporters," would unanswerably apply. But as to the facts: The existing Associated Press began business on September 29, 1900, with 612 members publishing daily newspapers in 295 cities and towns. In the thirteen years and nine months which have elapsed since that date, 627 new members publishing daily newspapers in 434 cities and towns, have been admitted. As you will observe, this means an average of about one new member elected each week. Meanwhile members have resigned, newspapers have failed or ceased publication, so that the 627 elected does not represent an increase of that number on the membership roll. The present membership is 891.

As to the exclusive right, my answer is that there is no exclusive right. There is what is called a "right of protest," which is simply the right of a member to say that the Board of Directors cannot elect a new member in his field, but must leave the question of election to the membership at large. And even this "right of protest" is held by less than one-fourth of the members. No such right has been granted to any member in over thirteen years, and, since it requires a vote of seven-eighths of the total membership of the Association to grant it, none is likely to be granted within your lifetime or mine, to say the least.

Some applicants have failed of election, it is true. But in the great majority of such cases they have failed for other reasons, and not because of the exercise of any protest right. Since the Association is a co-operative one, making no profit, there is no fund out of which to provide for the delinquency of one who may be unable to pay for the service. And as contracts for leased wires run over a considerable period, the failure of a member to pay his share of the expenses may become a serious thing. If The Associated Press were a money-making venture, it would be justified in taking the risks which merchants are accustomed to reckon on in making credit.

This is one of the difficulties which would be involved in any attempt to compel the organization to give its service to all applicants. An increased charge would necessarily be paid by the thrifty, solvent members to provide for the improvident or untrustworthy.

Any one may withdraw from The Associated Press. What holds it

together? The confidence of the members and of the public in its integrity. The only property it has is its good will. Is this a thing in which an applicant may claim a legal right to share?

In the case of the *New York Sun*, it should be said that the proprietors of that paper have never sought admission to membership in the Association. On February 19, 1897, when the paper was under the control of Charles A. Dana and William M. Laffan, there appeared in italics at the top of its editorial columns an announcement that the paper would not join The Associated Press, but would collect the news for itself. This policy was pursued until the death of both of the men named. And thereafter the present manager declined to make application for membership, but, instead, presented a petition to the Attorney-General of the United States asking that he institute proceedings against The Associated Press as an unlawful organization. This was not an appeal for aid; it was an effort to destroy a competitor. For it must be borne in mind that the *New York Sun* has a news-collecting and distributing agency of its own and has had such an agency for over twenty years.

But you say "the time will come when newspapers will be recognized as having the qualities of a public utility, and will be subject to inquiry and regulation by commissions similar to those which have arisen in many states during the past few years to supervise railroads, telephone and lighting corporations." Well, then we shall have turned back the clock three hundred years, and John Milton and his "Plea for unlicensed printing" were all in vain. The first Amendment to the Federal Constitution will be accounted a mistake, and we shall be face to face with a method of governmental administration once delighted in by the Stationers' Company and the Star Chamber.

As long ago as March, 1867, a writer in Harper's Magazine said: "The American public are a little superstitious about The Associated Press, and the feeling results from that common and natural cause of all superstitions—ignorance." That such ignorance exists now, as it did then, is undeniably true. But it would be altogether unfair to suspect that this lack of knowledge on the part of the public is due to any effort by the Association, or its management, to veil in secrecy either its scheme of organization, or its method of operation. Anyone who is anxious, or even willing, to investigate it will find no obstacle. Neither the membership nor the management has any apology to offer for the work. Instead, it is believed that the Association is engaged in a distinctly meritorious endeavor.

Does The Associated Press receive or distribute to its members all of the news of the day? By no means. Nor is it intended that it shall. There are news fields which, however important, it is forbidden to enter.

These are the fields which, by the proprieties, are left for exploration to the enterprise of the individual newspapers. What may it do and what may it not do? It may and should report the consequential events fairly, or as nearly as is possible for human beings to do so. It may not go further. And herein lies in large measure the misunderstanding of the well-intentioned public.

As an illustration: If a "pogrom" occurs in a Russian town, The Associated Press should tell dispassionately the story of the event. But it is not permitted to even say whether the thing is right or wrong. If President Wilson goes to the Capitol and urges a repeal of the statute exempting American coast-wise vessels from the payment of the Panama Canal tolls, and if Senator O'Gorman or Republican House Leader Mann, or Democratic House Leader Underwood takes issue with President Wilson, The Associated Press calmly reports both sides and must give no hint that either side is right or wrong.

But, says some one, this sort of negative work has no value. It sees a great wrong and makes no sign of disapproval. It sees a movement for the betterment of mankind, which is of the highest moment and does not lend a hand to help the thing along. Let us see. There is an underlying belief that the American people are capable of self-government. If so, they must needs be able to form a judgment. And we conceive it to be of very great importance that the people be given the facts, free from the slightest bias, leaving to them the business of forming their own judgment. Let us see what any other method of dealing with the news of the day must mean. If a news agency is to present somebody's view of the right or wrong of the world's happenings, whose view is it to be? And what assurance are we to have that the somebody's view is the right view? And if it is the wrong view, what then?

It was out of all this that there grew a co-operative Associated Press. The business of news-gathering in a dominant way, was in the hands of three men. They were responsible to no one. They could send out to the newspapers anything they chose and no one could call them to account. A large number of newspaper proprietors revolted. They felt that, far beyond their own interests, there was a great public question involved. They set about the development of a plan which should ensure an honest, truthful and impartial reporting of events. After deliberation, they concluded that the safest way was to organize a co-operative association of newspaper proprietors, representing diverse interests and thus put the institution under pledge to report the truth, and, to guarantee impartiality, the news service was to be subjected to the scrutiny and the censorship of the varied views of its membership.

Thus the business started. It took four years of hard struggle to wrest the business from private control; and then it succeeded. The co-operative association was accepted by enough publishers to make it a success. The very fundamental principle was that it, its method of organization and its news service should be subject to criticism. With an appreciation of their responsibility, and a full recognition of their duty to the American people, they sought to work out the problem before them in the best possible fashion. If they did not succeed, then the effort of as patriotic and well-minded set of men as this country has ever known, is a failure. At one stage of the contest, they pledged themselves for hundreds of thousands of dollars as a guaranty fund to break the chains which, at the moment, bound the American press to enslavement by the three men to whom I have referred.

I have no thought of saying The Associated Press is perfect. The frailties of human nature attach to it. But of this I am certain: If, in its form of organization, or its method of operation, it is in violation of any law, divine or human, it is the very last institution in this country to seek to avoid its responsibility. If anyone can devise, or suggest a better way to do the work it is seeking to do, it will be glad to adopt it, or to permit some one else to put it in operation. The thing it is striving for is a truthful, unbiased report of the world's happenings, under forms that are legal, and not only conformable to statutes, but ethical in the highest degree.

Sincerely yours,

MELVILLE E. STONE.

